

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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OLIVIA RUX, et al.,

Petitioners,

Case No. 08 Civ. 6588 (AKH)

- against -

ABN-AMRO BANK, N.V., et al.

**ZARMACH OIL SERVICES,
INC.'S MOTION TO
INTERVENE**

Respondents.

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Claimant Zarmach Oil Services, Inc. (Zarmach), by counsel, hereby moves pursuant to Fed. R. Civ. P. 24 to intervene in this action, and to become a party to this action for all purposes, and states in support as follows:

1. As set forth in Zarmach's Claim to blocked funds and Supporting Affidavit, separately filed in this action and incorporated herein, Claimant Zarmach is the rightful owner of certain blocked funds referred to in the Claim and objects to any competing claims to such funds. Such blocked funds are a subject of this action.

2. Claimant Zarmach is entitled to intervene in this action "of right" pursuant to Fed R. Civ. P. 24(a)(2) because it "claims an interest relating to the property or transaction that is the subject of the action, and is so situated that disposing of the action may as a practical matter impair or impede the movant's ability to protect it's interest," and because no other party can "adequately represent that interest."

3. Zarmach's Claim constitutes its "pleading that set out the claim or defense for which intervention is sought" pursuant to Fed. R. Civ. P. 24(c).

WHEREFORE, Claimant Zarmach requests that the Court permit it to intervene in this action and become a party to this action for all purposes.

November 21, 2008

Respectfully submitted,

SCHERTLER & ONORATO, L.L.P.

By: _____/s/

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion to Intervene was filed and served via ECF with copies being sent via facsimile to the following counsel, this 21st day of November, 2008:

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/s/

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